United Nations CEDAW/C/NLD/Q/6/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
5 July 2016

Original: English

Committee on the Elimination of Discrimination against Women
Sixty-fifth session
24 October-18 November 2016
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the sixth periodic report of the Netherlands

Addendum

Replies of the Netherlands*

[Date received: 5 July 2016]

Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

Please recycle

Legal and policy framework

1. With reference to the Committee's previous concluding observations (CEDAW/C/NLD/CO/5, para. 12), please provide information on specific steps taken to incorporate the provisions of the Convention into national law and to ensure the availability of effective remedies for all women, in particular migrant women, in all territories of the State party.

2. In general, examination for compliance with the provisions of international conventions is an integral part of legislative procedures and policymaking. Para. 161-164 of the sixth periodic report set out in detail how international obligations take effect in the legal order of the Netherlands.

3. Combating and preventing discrimination demands ongoing attention and a proactive approach on the part of citizens, companies and institutions, social partners, and the government. The government introduced both legislative and policy measures to prevent discrimination. If discrimination nonetheless occurs, the government is also responsible for ensuring that citizens have ways and means of submitting complaints, that complaints are properly registered and monitored to provide a good overview of issues requiring closer attention. Apart from the usual legal remedies, citizens can submit complaints of discrimination to the appropriate bodies such as the police or municipal antidiscrimination service (ADV). In the Netherlands, citizens can also apply to the Netherlands Institute of Human Rights, which is competent to give an opinion on complaints alleging discrimination.

4. Please also provide information on specific measures taken to address the disparities in the implementation of the Convention in those territories (ibid., para. 14).

5. As set forth in para. 4-9 of the periodic report, the four countries of the Kingdom are autonomous in their internal affairs. Each of the four countries of the Kingdom implements the obligations stemming from the Convention in its own way.

6. As to Bonaire, St Eustatius and Saba, which form part of the country of the Netherlands since 2010, much has changed on these islands within a relatively short time. In adopting statutory and other measures, it is necessary to take account of the islands' capacity for absorbing them. The islands differ fundamentally from the European part of the Netherlands, differences that in many cases necessitate different statutory regulations.

7. Please provide information on whether a commission mandated to draft an integrated national gender policy for Aruba has been appointed (CEDAW/C/NLD/6, para. 216).

8. A commission mandated to draft an integrated national gender policy for Aruba was appointed by order of the Minister of Education and Family Policy on 17 October 2014. Its members are drawn from various government departments, as well as the Central Bureau of Statistics of Aruba and the Centre for Women's Development (CEDEHM). The commission is currently consulting with the relevant stakeholders, both governmental agencies and NGOs. The final results will be elaborated in the policy proposal, with the Convention serving as the basis for policy.

9. Please also provide an update on the progress made by the Ministry of Public Administration, Planning and Service of Curaçao to develop a gender mainstreaming policy (para. 288).

10. The Ministry of Public Administration, Planning and Services (BPD) has made a start on developing a gender policy.

11. Gender issues are coordinated by the Family and Youth Sector of the Ministry of Social Development, Labour and Welfare (SOAW). It is tasked with developing a gender policy aimed at abolishing all forms of inequality between men and women, the main priorities being:

- To improve the academic performance of boys and reverse boys' underachievement in education;
- To improve recruitment and selection policies within the public sector;
- To develop a coherent and integrated equal opportunities policy emphasising empowerment, development and the promotion of social autonomy of both boys and girls.

12. This process is proceeding slowly as a result of understaffing and due to the decision to incorporate the objectives and targets into the structure of the Family and Youth Sector. A proposal is under consideration to establish an international desk to deal with a range of issues; this would focus special attention not only on women and gender issues but also on the position of children and people with disabilities.

13. In 2015 the UNESCO office, the Ministry of SOAW and several NGOs joined forces to organise two events highlighting the human rights of women and other disadvantaged groups (such as children and LGBT people) as well as disseminating more information and raising awareness of these issues. These events led to a broader policy approach for 2016 and beyond, including the points mentioned above.

14. The Family and Youth Sector is also organising a series of interministerial training sessions on Gender and Violence Against Women, the first of which was on 30 May 2016.

15. Please state whether there is a national strategy on gender equality covering all territories of the State party.

16. There is no single strategy for the Kingdom as a whole, as each of the four countries within the Kingdom is autonomous when it comes to gender equality policy. Information on the national gender policies in Aruba and Curaçao is to be found in para. 5-10 above. In the Netherlands, the Government sent a letter to the House of Representatives in May 2013 outlining its ambitions for gender and LGBT-equality policy 2013-2016, and stating the policy measures being implemented in this area.

17. In the light of the Committee's previous concluding observations (CEDAW/C/NLD/CO/5, para. 16), please provide an update on the specific measures taken to raise awareness of the Convention and the Optional Protocol thereto, in particular among legal practitioners and members of the judiciary.

18. The Academy for Legislation and the Academy for Government Lawyers provide general short courses on human rights for civil servants, thus investing in the quality of primary legal advice and ensuring that every policy department is capable of recognising basic human rights issues.

19. The Training and Study Centre for the Judiciary provides continuous training for judges and other officers of the court on matters such as domestic violence and discrimination, with the aim of enhancing expertise in the realm of human rights among those concerned.

20. On the basis of the Counsel Act (*Advocatenwet*) and the Regulation on the legal profession, lawyers are required to maintain and develop their professional knowledge arguably on an annual basis on the area of law in which they operate. Under the terms of the Counsel Act (*Advocatenwet*), the details of training of the legal profession are left entirely to the Netherlands Bar Association (*Nederlandse Orde van Advocaten*, NOvA). This training includes optional courses in human rights.

21. **Please also provide an update on measures taken to implement the Committee's recommendations in communication No. 36/2012 (CEDAW/C/57/D/36/2012).**

22. On 19 September 2014 the government explained to the Committee that in its opinion, the text of Article 11, para. 2, opening words and (b) of the Convention does not relate to self-employed persons and does not in itself impose an obligation to provide for a public benefit scheme for this particular group. For this reason the Dutch government has not followed the Committee's recommendations on this point.

23. However, out of its own volition, the Government has introduced a maternity benefit scheme as from 2008 for self-employed women.

National machinery for the advancement of women

24. **The Committee, in its previous concluding observations (CEDAW/C/NLD/CO/5, para. 18), expressed concern about the lack of a unified strategy and policy for the implementation of the provisions of the Convention among the territories of the State party. Given the constitutional restructuring of the State party (para. 4), which elevated Curaçao and Sint Maarten to the status of countries within the Kingdom and designated Bonaire, Sint Eustatius and Saba as "the Netherlands in the Caribbean", please provide information on the structure of the national machineries for the advancement of women's rights and the coordination of gender mainstreaming in all territories of the State party.**

25. In the Netherlands, responsibility for equal opportunities policy is vested in the Minister of Education, Culture and Science. It is the Minister's responsibility to coordinate policies that promote and encourage gender equality. To do so there is a specific equal opportunities department that deals with gender equality. This department pursues a dual approach to promoting gender equality, comprising specific policy on equal opportunities, aimed at eliminating disadvantages for girls and women, and gender mainstreaming, incorporating gender aspects in general policy objectives.

26. Various ministries work together to promote equal rights and opportunities for girls and women. For instance, the Ministry of Education, Culture and Science works together with the Ministry of Health, Welfare and Sport in the Gender & Health Alliance (see also para. 27 below).

27. In addition, the Netherlands has a national human rights institution with 'A' status, the Netherlands Institute of Human Rights. This body considers individual complaints alleging unequal treatment, investigates the presence or otherwise of systematic discrimination, advises on legislation and regulations, and reports on the human rights situation.

28. Central government cooperates with a wide range of organisations, including local authorities, the business community and women's organisations, to achieve the objectives of equal opportunities policy. The project *Kracht on Tour* is an excellent example. The aim of this project is to raise public awareness of the importance of financial independence for women and to forge agreements with municipal authorities, employers and educational establishments to increase women's participation in the employment market. Central government makes a sum of €11.2 million available every year in the form of grants for projects and institutions in civil society that promote gender equality and LGBT rights. Furthermore the government terminates contracts with any company that has or whose management has been convicted of discrimination in a final and unappealable judgment.

29. In Aruba, CEDEHM, established in 2011, is a government agency that is directly accountable to the Minister of Education and Family Policy. It provides a variety of services directly to women and cooperates with a range of government agencies and NGOs to protect and promote the rights of women and their families. These organisations include the 'Fundacion Hende Muhe den Dificultad' (Foundation For Women in Distress), Famia Planea (Family Planning Foundation), the Women's Club of Aruba, 'Fundacion Hende Homber pa Hende Homber' (Aruba's Men's Foundation), and the Department of Social Affairs. In addition, CEDEHM has established a relationship with 'Fundacion Hende Homber pa Hende Homber' (Aruba's Men's Foundation) in order to promote awareness of women's rights and foster collaboration on a variety of issues pertaining to both women and men. The intention is for gender policy to be implemented jointly by these government agencies and NGOs.

30. In Curaçao, some of the services of the former Island Territory of Curaçao were abolished in 2010, among them the Women's Affairs Bureau and the Department of Social Development. Most of the tasks they performed have been reassigned to new ministries but work on these tasks has languished somewhat for a variety of reasons.

31. While there is no integrated gender policy, a number of NGOs committed to gender issues receive government grants in accordance with the programme of requirements laid down in the business plan of the Ministry of SOAW and the government's grant regulations.

32. Information on the relevant actors in St. Maarten is given in para. 31-33 below.

33. Does the State party conduct gender impact assessments of laws and policies and gender budgeting analyses and, if it does, to what extent? Please

provide information on the results of the implementation of gender mainstreaming in the State party.

34. In the Netherlands, the Legislative Drafting Instructions contain guidelines for the drafting of laws and regulations. In each case, the impact and (secondary) effects of new laws or regulations must be examined, including any possible consequences for the position of women. The equal opportunities department also examines the gender dimension and impact of relevant policy and legislative proposals and gives advice, but without this leading to detailed impact reports with regard to equal opportunities.

35. In a letter to parliament outlining its equal opportunities policy ambitions for 2013-2016, the government announced an exploratory study on gender mainstreaming, including a study into establishing a gender and health alliance.

36. The Gender & Health Alliance (consisting of numerous experts in the healthcare sector and academia) will develop a national Gender and Health Knowledge Agenda to identify gaps in our knowledge relating to gender and health. Gender mainstreaming has also been stepped up in other areas, such as economic independence, security and education. These efforts take place at various levels: within central government, in municipalities, and in civil society.

37. In Aruba, government agencies and NGOs currently work in accordance with the prevailing laws and the policies applicable to their respective organisations. When integrated gender mainstreaming is introduced, legislation will be amended where necessary and the mainstreaming of policy will take place at national level.

38. In Curaçao, no gender impact assessment or gender budgeting analysis has been conducted.

39. Since 2013 the Minister of SOAW has participated in all the regional meetings of ECLAC and CSW.

40. In St. Maarten, the Department of Social Development and the Department of Community Development, Family and Humanitarian Affairs jointly organised a gender mainstreaming workshop in November 2010. The workshop ascertained whether the government's laws and policies were consistent with gender equality and to impress the importance of gender mainstreaming on the relevant government representatives. The workshop findings were that most government laws, policies and practices were consistent with gender equality.

41. In addition, a survey was conducted of school enrolment and labour market participation for the first Millennium Development Goals (MDG) Report in 2011. It found that St Maarten has near-equal gender representation in terms of access to education and employment. St Maarten's labour laws do not distinguish between male and female workers, who are entitled to the same privileges and remuneration for equal work.

42. Furthermore, the National Development Plan, though not complete, has highlighted the government of St Maarten's commitment to fostering an inclusive society. This philosophy has been further consolidated by the Interactive Cultural Policy Framework developed by the Department of Culture. This framework aims to promote and encourage growth and dialogue in society, empowering all districts and communities to contribute towards the shaping of common ethical standards and an inclusive vision on St Maarten's future. The framework also underscores gender

equality and encourages the development, education and recognition of people as individuals.

Temporary special measures

43. The Committee, in its previous concluding observations (CEDAW/C/NLD/CO/5, para. 22), noted the lack of understanding of temporary special measures, as interpreted by the Committee in its general recommendation No. 25 (2004) on temporary special measures. In paragraph 20 of the report, it is stated that legislation is now in force that sets out targets for the percentage of women in top-level positions in the private sector and that the legislation would be evaluated in 2015.

44. Please provide information on the results of the evaluation of the legislation and indicate whether the State party envisages introducing sanctions for non-compliance with the targets set out therein.

45. Under the terms of an Act of Parliament that was adopted in 2013, women must make up at least 30% of the boards of certain types of companies. The Act also provides that non-compliant companies must detail the measures they are taking to reach the 30% target. The government and the Confederation of Netherlands Industry and Employers (VNO-NCW) joined forces in December 2014 to boost results in getting more women 'to the top'. A detailed evaluation of the effectiveness of this approach in 2015 found that progress had been made. On the basis of these results the government decided to extend the Act, and intensify and broaden the approach. Progress will be monitored closely and results will be presented to parliament in the autumn of 2016. If the anticipated results have not been achieved by that time, additional measures will be debated in parliament.

46. Please also provide information on other temporary special measures adopted to accelerate the achievement of substantive equality between women and men in the public sector.

47. Several measures have been taken in recent years to promote equality between men and women in the public sector. The Government's 'Programme of Action on Discrimination in the Labour Market' includes 42 action points in total, 21 of which are general and 21 which target specific groups. The following action points in particular are relevant:

- E: The establishment of a Labour Discrimination Team (to combat discrimination in the workplace) within the Social Affairs and Employment Inspectorate as from 1 May 2015.
- M and N: Study of the differences between men's and women's wages, including in the public sector. These action points aim to ensure that complaints of discrimination are dealt with properly through internal channels.
- S: Women at the Top with specific reference to central government (target percentage of 30% in 2017; see also the answer to question 12).

48. Please specify the temporary special measures that are in place that are aimed at addressing the inequality experienced by disadvantaged groups of women, in particular migrant and ethnic minority women, apart from the "Thousand and One Strong" volunteer project (para. 24).

49. The National Programme of Action to Combat Discrimination was launched in 2016. It includes measures geared towards prevention and public awareness, closer cooperation and infrastructure, and a stronger focus on tackling discrimination at local level. Specific attention is paid in this context to discrimination on the grounds of sex, ethnicity, skin colour or religion. The themes to be addressed include discrimination in the labour market (on any grounds). The programme also promotes awareness of prejudices and cultural sensitivities. The activities include a national campaign to raise awareness, the development of a barometer to measure cultural diversity in the business world, and guidance for teachers on managing classroom discussions of socially sensitive subjects, such as discrimination.

50. The Action Plan on Discrimination in the Labour Market was launched in 2014 and identifies a number of specific target groups, including women and non-Western migrants. With this plan, government and employers are setting in motion a cultural change in which employers take responsibility for preparing young people for the labour market while they are still in education, and for achieving an open and inclusive recruitment policy and organisational culture.

51. **What steps are envisaged to adopt prescriptive temporary special measures, including the use of quotas, to promote the de facto participation of women in political life?**

52. Political parties are responsible for recruiting members and selecting candidates for political office. Municipal and provincial councils should be proactive in putting forward women candidates. Data on the participation of women at political and official level in local government are presented in the biannual report *Staat van het Bestuur* ('Trends in Governance', available in Dutch only).

Stereotypes and harmful practices

53. **The Committee, in its previous concluding observations (CEDAW/C/NLD/CO/5, para. 24), expressed concern about traditional attitudes and stereotypes regarding the roles of women and men in the family and in society. The State party acknowledges that negative stereotyping of girls and women is still widespread in society, in particular in advertisements that "show little girls with toy vacuum cleaners and irons" (para. 15).**

54. **Please provide information on measures taken to address persistent sexist and discriminatory advertising, including the sexualization of women by the media, in the State party. What progress has been achieved since the announcement by the Government of support for a platform for the media and non-governmental organizations on the subject of women and the media?**

55. As a follow-up to the international conference that the Ministry of Education, Culture and Science organised in 2013 together with the Council of Europe on the theme of 'Women and the Image of Women', there have been several expert meetings with a range of stakeholders from the media and the academic world around the representation and images of women in the Dutch media. It was concluded that there is a need to forge links between various parties and actively address this theme. A one-year study was therefore launched in 2016, funded by the Ministry of Education, Culture and Science, to find ways of shaping a collective, evidence-based agenda for the coming years. This study is to be implemented so as to create a broad base of influential actors and a sense of urgency regarding the

issue, ultimately leading to a multiyear strategy on the portrayal of women in the media. This strategy will be developed and implemented by the stakeholders themselves. The government's role is limited to supporting the stakeholders given the freedom of press. The aim is stimulate a better portrayal of women in the media and a more balanced representation of social groups in the longer term, both in the traditional media and in the newer online media and social media channels. This emphatically also includes cultural diversity.

56. Please provide information on specific measures taken to eliminate gender stereotypes reflected in discriminatory attitudes towards migrant women in society.

57. See para. 36-37 above.

58. Please also provide an update on the status of the legislative proposal to introduce civil law measures to prevent forced marriage, which was before the Senate at the time of reporting, in 2014 (para. 91).

59. On 5 December 2015 the Forced Marriages (Countermeasures) Act entered into force. This Act raises obstacles to forced marriage. People may no longer marry until they reach the age of 18. Previously, under exceptional circumstances, it was possible to marry at the age of 16. A marriage between blood relatives in the third or fourth degree is now more difficult. The amended Passport Act will also help to combat forced marriages and abandonment in the country of origin.

60. The Public Prosecution Service has acquired the power to prevent a forced marriage from taking place; a forced marriage that has already been concluded may be annulled. In addition, the domestic violence and child abuse reporting code must be followed in cases of suspected honour-related violence and forced marriage.

61. According to information before the Committee, among some migrant communities in the State party, there is a problem known as "marital captivity", which constitutes forced marriage. Please provide information on measures taken to address the phenomenon.

62. To ensure that people are aware of their right to autonomous action, the Self-Determination Action Plan, which includes a national campaign, was launched in January 2015. Violations of a person's right to determine their own life occur most notably within relationships of dependency and inequality between men and women. Forced marriage is one example of this. The action plan builds on the Prevention of Forced Marriage Action Plan 2012-2014. A total of 160 information officers were trained; they organised 1,000 grassroots dialogue meetings about self-determination in 12 communities.

63. The campaign 'Marrying against your will' is repeated every year. The campaign informs young people about where they can go to get advice and help. The Integration and Society Knowledge Platform supports and advises municipalities and neighbourhood social support teams on ways of preventing, reporting and combating forced marriage. Free training courses have been developed for people working in education with young people from non-Western cultures. The courses teach them to identify and act on sign of forced marriage, abandonment in the country of origin, and honour-related acts of violence.

Violence against women

64. In paragraph 76 of the report, it is acknowledged that every year around 220,000 adults are victims of serious violence in their domestic environment and that, in nearly 75 per cent of cases of known domestic violence, the majority of victims are women who are subjected to physical and sexual abuse.

65. Please indicate the number of cases, investigations, prosecutions and convictions and the nature of punishment for perpetrators of violence against women, including domestic violence, and provide data on violence targeting migrant women.

66. Every year the police deal with some 95,000 incidents of domestic violence in connection with which they make about 15,000 arrests. The Public Prosecution Service handles around 11,000 to 12,000 domestic violence cases a year. 87% of the suspects are men and 13% are women. Among victims of domestic violence approximately 60% are women and 40% are men. Over one third of the victims declare also to be a perpetrator.

67. Ethnicity is not registered in the Netherlands, so it is not possible to supply separate figures for migrant women. 'Honour crimes' — between 30 and 60 instances a year — are registered separately, as a form of violence against women. Instances of female genital mutilation recorded each year range from 0 to 6.

68. The National Expertise Centre for Honour-Related Violence supports the police, making it possible to act safely in response to suspicions of honour-based violence. In 2014 the Centre received 460 reports of suspected honour-based violence and was involved in 11 trials for murder or manslaughter.

69. Please also provide information on the challenges and achievements in the implementation of the Temporary Domestic Exclusion Order Act (2009), which provides for the exclusion of perpetrators of domestic violence from their homes (para. 78).

70. Mayors impose about 3,000 domestic exclusion orders each year using a risk assessment instrument arising from this Act.

71. Using the Domestic Abuse Risk Assessment Instrument (RiHG), the assistant public prosecutor ascertains in every case of (suspected) domestic abuse whether there is a need to impose a domestic exclusion order. The instrument is used to gather information on: (1) the suspected perpetrator of domestic abuse, (2) the events surrounding the violent incident, and (3) the family's background. In total, 20 signals are assessed.

72. A study is currently being conducted into whether the Act meets the criteria laid down in the Istanbul Convention and the European directive establishing minimum standards for victims.

73. Approximately 80% of domestic exclusion orders are accompanied by criminal proceedings.

74. Please provide data on recidivism, given the evaluation of the impact of the Act, which indicated that domestic violence was less likely to recur after a temporary exclusion order (ibid.).

75. The evaluation study shows that domestic abuse is less likely to recur after a domestic exclusion order than in comparable situations in which no domestic exclusion order was imposed. Not only is the frequency of recidivism lower, the time to recidivism is also longer. The perpetrator assistance programme would appear to be the main explanation for the positive relationship between domestic exclusion orders and the relatively low recidivism of domestic violence.

76. In 57% of cases, household composition had changed one year after the end of the domestic exclusion order. This generally means that the partners have separated. Approximately 15% of domestic exclusion orders are imposed in relation to child abuse.

77. The two-year recidivism rate for perpetrators of domestic abuse who were prosecuted in 2011 is as follows: 33% had been charged with a new indictable criminal offence (leaving aside the nature or seriousness of this offence: i.e. general recidivism). In 25% of these cases, the repeat offence was classified as 'serious', while in 4% of cases it was classified as 'extremely serious'.

78. The recidivism rate for perpetrators of domestic abuse who had been subject to a domestic exclusion order were as follows: 29% for general recidivism, of which 24.6% were classified as serious and 5.8% as extremely serious.

79. Please also provide an update on the status of the temporary domestic exclusion orders bill for Aruba (para. 222).

80. Since 15 February 2014, domestic exclusion orders can be imposed under Article 1:164, paragraph 1 (e) of Aruba's Criminal Code. Victims of domestic violence can also apply to the civil court for an exclusion or restraining order.

81. Please describe progress made to amend the Social Support Act to introduce provisions on the prevention of domestic violence.

82. The new Social Support Act (WMO) entered into effect as from 1 January 2015. The concept of social support has been broadened to include safety in a domestic setting. This is important, since the *perception of safety* is a prerequisite for people to participate in their community. Safety should be understood to mean, here, 'freedom from the risk of violence in the domestic setting'; there must be a safe space for everyone — at home, or if that is not possible, somewhere else.

83. In paragraph 194 of the report, it is indicated that the results of an exploratory study on violence against women in the Netherlands in the Caribbean (Bonaire, Sint Eustatius and Saba) give cause for concern. Please provide data on the extent of violence against women, including domestic violence, in the Netherlands in the Caribbean.

84. There is no organisation in the Netherlands in the Caribbean that keeps central records and has a complete overview of the prevalence of domestic violence. Nonetheless, domestic violence appears to be a substantial problem. Its prevalence is deeply entrenched, and is closely linked to poverty and housing problems on the islands. In addition, there is a taboo on discussing the issue. The government takes an integrated approach to tackling domestic violence, from prevention and support to criminal proceedings, and it is a priority of the Ministry of Health, Welfare and Sport for the coming years.

85. Please also provide an update on progress made to develop and implement legislation to combat child abuse and domestic violence in Curaçao (para. 298). Please indicate the current status of the national action plan against violence in Curaçao, given that a committee was established to develop it in 2012.

86. Legislation to combat child abuse is in place but needs to be improved. Any act of violence against a person is a criminal offence under the law of Curaçao and is subject to severe sanctions. In the past few years the Public Prosecution Service of Curaçao has instructed the police to give top priority to cases of domestic violence, and these instructions are being duly heeded.

87. The National Plan of Action for Combating Child Abuse and Domestic Violence includes recommendations for amending laws and making similar changes in this context including the publication of the abovementioned instructions for the police, to encourage the public to exercise their rights as set forth in these instructions.

88. While legislation on temporary restraining orders for perpetrators was passed by Parliament, it will be some time before it can be implemented, since not all the necessary facilities are in place.

89. The National Plan of Action for Combating Child Abuse and Domestic Violence was submitted to the Government of Curaçao in December 2015. The vision statement covers the next ten years. The Plan consists of a strategy and a 'guide' listing numerous recommendations for actions to be taken by the government and stakeholders. Work has started on planning the implementation of the recommended actions which will take place over the next few years.

90. One of the areas of cooperation relates to the ongoing public awareness campaign on child abuse and domestic violence. The campaign seeks to inform the public about recognising the signs of abuse and about ways of preventing abuse, as well as about the consequences for adults and children, and where people can go to for help.

91. The Committee for the Prevention of Domestic Violence and of Violence against Children and Young People issued its final report in December 2015. This report was presented to the Prime Minister and his executive, who asked the Ministry of Social Development and Welfare to calculate the costs of implementing the National Action Plan.

92. According to paragraph 83 of the report, under the Youth Act, municipal authorities are now responsible for preventing child abuse and providing assistance to victims. Please provide information on the impact of and challenges posed by those changes in tackling child abuse.

93. The decentralisation of youth care allows local authorities to take an integrated approach to tackling child abuse and domestic violence. All reports (including suspicions) of child abuse and domestic violence now go to regional offices of Safe at Home (*Veilig Thuis*, VT); there are 26 regions in total, making up a nationwide network. The police too passes on any substantiated concerns it receives to VT, which gives advice and deals with the reports. VT looks to see what needs to be done to investigate suspicions or to stop the violence as quickly as possible and thus provides customised assistance to all those involved. Over the next few years VT will further reinforce its internal cooperation as well as cooperation with the

professionals involved in reporting, neighbourhood social support teams, the police and judiciary, and health and social care organisations.

94. Please state the extent to which municipal authorities have provided shelter and assistance to victims of domestic violence and have used the guidelines on drafting and developing policy on the prevention of domestic violence that were issued by the central Government in 2009 (para. 82).

95. There is a nationwide network of women's shelters that provide victims with immediate accommodation, protection and assistance. There are crisis and emergency beds for those who are in need of immediate shelter. In addition, specialist assistance is provided to young girls who are victims of 'honour-related' violence, to male victims, and to victims of human trafficking. For victims under constant, severe threat, there are a limited number of safe houses with secret addresses. Each region has its own system of peripatetic social care, which may include the imposition of a domestic exclusion order, support for perpetrators, and support for victims and their children.

96. The municipalities have now gone further, drafting regional plans detailing their domestic violence policy. The plans cover prevention, identification and reporting, the provision of assistance and care, and aftercare for the various forms of domestic violence (e.g. partner abuse, child abuse, elder abuse). So far, 33 regions (= 94%) have adopted regional plans and two others will be doing so in the near future.

97. What has been the impact of the change in approach to having a gender-neutral police service that deals with gender-based violence?

98. The findings of a study (commissioned by the ministries of Health, Welfare & Sport, Education, Culture & Science, and Security & Justice) into the role of gender in partner abuse are being used to determine how instruments, formats and working procedures in the relevant organisations, the police and the public prosecution service can be made gender-sensitive.

99. What steps have been taken, given the publication of the study *Genderscan aanpak huiselijk geweld* in 2014, to ensure that systematic attention is paid to gender policy and practice on violence against women, in particular the role played by stereotypes and unequal power relations between men and women in families (para. 80)?

100. A meeting was organised in 2015 with local authorities, the police, the public prosecution service and the Safe at Home organisation to identify what they need in order to apply a gender perspective in their work. Although there was consensus on the importance of adopting a gender-sensitive approach, the professionals emphasised the need for specific guidelines. A practical toolkit is therefore being developed (including a factsheet and a peer review method) for municipalities and professionals alike.

101. What measures are in place to enhance the capacity of the organization that handles medical examinations of women asylum seekers to ensure thorough assessments and the identification of gender-based violence?

102. The same protocols are followed in the immigration system as in the regular healthcare services. Cultural sensitivity is key: care workers are aware that their patients come from a different cultural background.

103. All asylum seekers are offered a medical intake at the beginning of the asylum procedure. This intake is designed in the first place to ascertain whether the person is capable of making a coherent, consistent statement in the asylum interview. Any conditions resulting from sexual violence can also become apparent at this time. If necessary, medical treatment for the victim will be provided by the regular medical services.

104. A victim of sexual violence seeking asylum on these grounds must be able to give a credible account of the sexual violence during the asylum interview. For a more detailed discussion of gender-based violence and asylum, see para. 174 of the sixth periodic report.

Trafficking and exploitation of prostitution

105. It is indicated that data from the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children from 2012 show that the Public Prosecution Service recorded the highest number of cases of trafficking in persons since 2000 (para. 105).

106. Please provide information on assessments that have been conducted to understand that sharp increase in cases of trafficking.

107. Factors that may have contributed to the increase in recorded cases of human trafficking include the priority accorded to combating human trafficking on the part of many governmental organisations. These efforts have heightened awareness of the problem. The presence of specialised prosecutors and criminal investigators within the law enforcement agencies may also have contributed to an increase in cases, and the work of the Task Force on Human Trafficking may have strengthened their efforts.

108. What specific interventions were made to ensure an increase in the number of convictions from 25 per cent between 2004 and 2009 to 71 per cent in 2010 and 2012 (para. 105)?

109. The use of specialised prosecutors and criminal investigators within the law enforcement agencies may have boosted the quality of investigations and prosecutions, thus leading to more convictions for human trafficking. Similarly, several years' experience with investigations of human trafficking and with prosecuting the perpetrators may also have improved the quality of the work. Judges too may have gained a better understanding of the complex nature of human trafficking.

110. As from 1 January 2013, all human trafficking cases are heard by a limited number of judges and other officers of the court. The aim is to ensure that the courts hearing these frequently complex cases possess the necessary substantive knowledge.

111. Please provide an update on progress made to establish a national referral mechanism (para. 104).

112. As part of the national referral mechanism, a website (www.wegwijzermensenhandel.nl) was launched in June 2015, giving an overview of the support available to victims of human trafficking. In addition, a multidisciplinary model designed to establish the plausibility of accounts given by persons claiming to be victims of human trafficking is currently being tested in a

pre-pilot project. At the end of 2014 the police launched a pilot project using interview rooms with video-recording facilities at three customised shelters; an evaluation is scheduled for the summer of 2016. Finally, plans exist to launch a 24/7 hotline as a pilot project in June 2016.

113. **Please also provide data on the number of women victims of trafficking who were unwilling to cooperate with law enforcement officers in criminal investigations who have been granted a residence permit on humanitarian grounds (para. 115).**

114. Under the current rules on residence for human trafficking victims, a victim can obtain a temporary residence permit on humanitarian grounds if there are clear indications that they are a victim of human trafficking but are unable to cooperate with the criminal investigation due to threats or a serious medical impairment. The National Rapporteur notes in her Ninth Report that in practice this clause is invoked only a few times a year. In response to this observation, this clause has been explicitly drawn to the attention of the police, health and social care workers and the Immigration and Naturalisation Service (IND). In addition, an amendment was made to the Aliens Act Implementation Guidelines, such that the police are no longer required to draw up a statement on the person's victim status, can suffice with a statement on the existence of signals of human trafficking.

115. **What specific measures have been taken to address the vulnerability of migrant women and girls to trafficking for the purposes of forced prostitution and labour exploitation?**

116. In the Netherlands, information to prevent human trafficking for sexual and labour exploitation is disseminated in two ways. First, information is provided to the public on websites, including digital leaflets in a range of languages about prostitution and labour exploitation, aimed at current or potential victims. Second, the Netherlands collaborates with the primary countries of origin in Central and Eastern Europe. Dutch embassies provide information about living and working in the Netherlands that is geared towards potential labour migrants. The Dutch government also holds frequent consultations on this issue with governments of several countries of origin.

117. **Please comment on the rise in the number of minor victims of trafficking among sex workers (para. 110).**

118. The percentage of underage victims among registered potential victims of all forms of human trafficking increased from 15% in 2010 to 18% in 2014. This may be due to an increased focus on underage victims of human trafficking by several organisations. In recent years, the Azough Committee (set up by the Dutch youth care service) has drawn up practical guidelines and arrangements to help youth care workers to identify, register and support child victims. As a consequence of the Public Prosecution Service's new emphasis on prosecuting clients who pay for sex with minors, the number of persons prosecuted for this crime in the first six months of 2015 was the same as the total number prosecuted in the previous fourteen years.

119. **Please provide data on the age and nationality of sex workers in the State party, in particular in Curaçao and Aruba.**

120. For Aruba, see Annex I.

121. In Curaçao, underage prostitution is not tolerated and there are no registered cases of underage prostitution. Curaçao has an official register of sex workers who work in Campo Alegre. They are issued with a three-month residence permit for Curaçao and are not allowed to work anywhere except in Campo Alegre. Their ages range from 18 to 50. Most of the women are from Colombia or the Dominican Republic.

122. **Please provide an update on the work of the task force legislation committee in Aruba, which has been working to enshrine the rights of victims of trafficking to free legal aid and medical assistance, as well as their rights in relation to immigration issues (para. 245).**

123. The Legislation Committee of the Human Trafficking Taskforce has made some progress towards enshrining the rights of victims of human trafficking to legal aid, medical assistance and immigration support. However, no concrete proposal has yet been made to change the law to this end. The newly-established Human Trafficking Coordination Centre, which supports the National Coordinator and the Taskforce, will continue these efforts. In the meantime, victims can access legal aid, medical services and immigration services through the Taskforce.

124. **Please also provide information on the survey of commercial sex workers conducted in Aruba, which was intended to determine the level of trafficking in women among commercial sex workers (para. 248).**

125. Those working in Aruba's commercial sex industry can be broadly divided into registered and non-registered sex workers. While soliciting is prohibited by Aruban criminal law, the National Ordinance for Infectious Diseases states that 'women who commit lechery with men, whether professionally or as a habitual practice, are required to register with the Ministry of Justice or with a designated official'. The Ordinance also requires the women concerned to register with the Department of Public Health, which is responsible for medical screening. No study of Aruba's commercial sex workers has yet been completed since the National Ordinance of Infectious Diseases entered into force. Little is known about their risk behaviour or working conditions. In conducting this study, the Department of Public Health seeks primarily to establish the prevalence of risk behaviour among commercial sex workers. It is also important to gather data regarding these sex workers' knowledge, attitude, beliefs and practices when providing their services to clients. As requested by the Taskforce, the interviews conducted in the course of the study will include questions designed to establish the prevalence of human trafficking among commercial sex workers in Aruba.

126. **Please provide an update on the status of the bill aimed at regulating prostitution and combating abuses in the sex industry, which was submitted to the House of Representatives in November 2009 (para. 119).**

127. The Senate of the States General postponed its vote on the Regulation of Prostitution and Combating Abuses in the Sex Industry Bill in 2013 pending a proposed amendment. The amendment removed the provisions on compulsory registration for prostitutes and the obligation of the client to verify this registration. On 21 June 2016 the proposed amendment was adopted by the House of Representatives. It is to be expected that the Senate will debate the amended Regulation of Prostitution and Combating Abuses in the Sex Industry Bill before the end of 2016.

128. What specific measures have been adopted to protect women engaged in prostitution from sexual exploitation, in particular by tourists who visit the territories of the State party for sexual and other services (para. 122)?

129. Municipalities such as Amsterdam, Utrecht and The Hague combat exploitation by means of supervisory and law enforcement measures, as well as by improving contact with prostitutes and the owners of sex businesses and facilitating access to social services. In addition, the Regulation of Prostitution Bill (WRP) includes measures designed to combat abuses. No specific measures have been taken to combat sexual exploitation by tourists.

130. Please provide data on women engaged in prostitution and explain how the current regulation of prostitution in the State party protects women and girls from exploitation (para. 121).

131. A large-scale baseline measurement of prostitution was conducted in 2014, from which it emerged that it is impossible to estimate the number of prostitutes working in the Netherlands.[1] The WRP is expected to produce a better picture of the extent of prostitution in the Netherlands since it introduces an obligation on inter alia all sex businesses to obtain permits. At the moment local authorities are responsible for drafting policy on prostitution. They bear responsibility for supervision and law enforcement within the prostitution sector and maintain regular contact with the sector itself to combat abuses. Finally, sexual exploitation is a criminal offence under article 273f of the Criminal Code.

132. What specific measures have been taken to reduce the demand for prostitution?

133. Prostitution is legal in the Netherlands. For this reason, no specific measures have been taken to reduce demand for sex services.

Participation in political and public life

134. It is indicated that women accounted for 27 per cent of senior civil service positions in 2013 and that the Ministry for Housing had submitted an action plan to the House of Representatives that set out how a target percentage of 30 per cent would be achieved (para. 126).

135. Please provide an update on the status of the action plan and information on progress achieved in improving the representation of women in public and political life, in particular in mayoral and other local council positions.

136. As stated in the report, the government has set a target of at least 30% women in the senior civil service (ABD) in 2017. Where vacancies arise, the ABD will actively seek to appoint talented women to these positions. In 2015 29% of managers in the ABD were women. On 31 December 2015, 31% of top positions in central government were held by women.

137. In local government, as at May 2016, 78 out of a total of 266 mayors were women (see table: National overview of mayoral positions). Between 1998-2014, women held around 19% of municipal executive positions — a percentage that has remained stable for some years and that is an average for all Dutch municipalities

[1] See https://english.wodc.nl/onderzoeksdatabase/2389d-nulmeting-wrp-overkoepelend-rapport.aspx?cp=45&cs=6799.

(see graph and table in Annex II: Percentage of women in municipal executives, by size of municipality).

138. Please explain the effectiveness of the "comply or explain" principle, which seeks to ensure the meeting of numerical targets set each year to fill positions with women in the State party (para. 128).

139. In accordance with the Coalition Agreement 'Building Bridges', a government-wide action plan has been developed to combat discrimination in employment. This led inter alia to action point S: 'women make up 30% of the ABD by 2017: From words to DEEDS!'. Central government has already attained this target. This was achieved in part by actively promoting talented women to higher positions. In addition, much effort is going into building up a pool of talented women, and preparing them to advance from senior level to executive positions in due course. This is being achieved by, for instance, conducting additional career interviews with talented women in salary scale 15 and requiring every shortlist to include at least one woman. Appointment committees that fail to comply with this rule are asked to 'comply or explain'. This method is effective.

140. Please provide information on measures taken to improve the representation of women in decision-making positions in academic institutions, in particular the number of female professors (para. 145).

141. Three universities (out of a total of fourteen) had one or more women on their Board of Governors in 2009. This figure rose to six universities in 2012 and to nine in 2015. In 1999, around 6% of the professors were female professors. This percentage increased to 11.7% at the end of 2008. The following measures have been introduced to raise awareness and promote change:

- The Aspasia rogramme of the Netherlands Organisation for Scientific Research (NWO) encourages the promotion of gifted women academics to professorships;
- The education ministry supports the Dutch Network of Women Professors (LNVH);
- The theme 'women professors' is to be incorporated into the General Agreement with the Association of Universities in the Netherlands (VSNU);
- Each university has set a target number of women professors to be achieved by 2020;

142. Please also provide data on the participation of women in political and public life in the Netherlands in the Caribbean (paras. 201-203).

143. Recent figures supplied by Statistics Netherlands (CBS) show that slightly more women (4,220) than men (3,900) are employed in this sector (2014, Caribbean Netherlands total, all income groups). This is a relatively large sector on the islands (accounting for a fifth of the total number of jobs); 1,120 men and 870 women were employed in this sector in 2014 (total for three islands).

144. What measures are in place to improve the participation of women in political life in Aruba (para. 249)?

145. Promoting the participation of women in political life is one of the priorities of the National Gender Policy Commission, which will consult with the relevant

stakeholders when drafting the new policy. Not only must measures be taken to improve political participation of women, but in addition, awareness of the importance of having a gender balanced parliament and government must be raised amongst voters. NGO's and private sector play instrumental roles in organising independent, non-partisan events that can present female political candidates and their political platforms.

146. It is indicated that, in Curaçao, women are underrepresented in political, social and administrative decision-making processes, in particular in high-level positions (para. 301). Please state the specific measures in place to address the problem.

147. Since the submission of the report, no concrete measures have been taken. The appropriate government bodies are currently looking into this matter. An update on the number of women in parliament is to be found in Annex III.

148. It is acknowledged that overall female participation at the Ministry of Foreign Affairs, including diplomats, stood at 50 per cent in 2012, but women occupied only 18 per cent of the highest-ranking posts in the diplomatic service (para. 128). Please state the specific measures being taken to improve the representation of women in senior diplomatic positions in the foreign service.

149. Overall female participation in 2012 stood at 50%. In the period 2012-2014 the percentage of top positions (ambassadors, consuls-general, leadership positions within the Ministry) held by women rose from 18% to 25% and in 2016 to 26%. Mid 2016 29% will be women. The focus is on the empowerment and coaching of women and on actively promoting talented women's rise through the ranks. The figures are reported each year to the Senior Management Board responsible for defining frameworks and ensuring compliance. Frameworks may be tightened up in response to developments and in part determine the rules governing regular transfer rounds, which regulate the promotion of talented women.

Education

150. It is indicated that "subject choice is not only gender-stereotyped; it also depends strongly on ethnic background and thus on prejudices about certain sectors" (para. 140). Please describe the measures taken to address those prejudices.

151. The government commissioned a recent study seeking explanations for the disparity between the results achieved by girls and boys in secondary vocational education, higher professional education and universities. The study underscored the need to pay closer attention to diversity and individual differences in learning and development.

152. Please provide information on the progress made in encouraging girls to pursue non-traditional courses, in particular courses in science and technology.

153. In the Netherlands, a Technology Pact has been adopted that is geared towards recruiting and retaining young men and women in the technology sector. The Ministry of Education, Culture and Science also finances several project carried out by non-profit organisation VHTO, including the annual Girlsday during which girls visit technical companies. Girls are now choosing science and technology subjects

more often than in the past, especially in senior secondary (HAVO), pre-university (VWO) and higher professional education (HBO), but still less often than boys.

154. What steps have been taken to address the root causes responsible for the high number of non-Western ethnic minority students who fail their final exams (para. 137)?

155. Only 26% of boys from non-Western backgrounds who embarked on a course of higher professional education in 2008 had completed their course successfully five years later. The government is currently investigating how students with bicultural backgrounds can be given a greater sense of belonging as they pursue their higher education.

156. Please provide information on progress made to reduce illiteracy in the State party.

157. Approximately 1.3 million people between the ages of 16 and 65 living in the Netherlands are functionally illiterate (one of the lowest rates in the world). In 2015 a new literary action programme (*Tel mee met Taal*) was implemented that aims to prevent the social exclusion of people who are functionally illiterate.

158. This literacy programme includes a pilot project specifically targeting functionally illiterate women: Education for Women with Ambition (EVA). In five regions, trained volunteers tutor women in reading and writing, arithmetic and digital skills. If these pilot projects are successful, the method will be incorporated into the regular programme for the functionally illiterate.

159. Please explain the specific impact of the *Tafel van Een* (Table of One) method "geared to communication with, assistance for and recruitment and activation of poorly educated women who are unemployed and receive no benefits" (para. 22).

160. The results of the Table of One (DTVE) method were presented at the end of 2014: in 15 municipalities, a total of 4,576 women had joined the table, 3,856 of whom completed the series. In total, 145 series were organised, with 439 trained volunteers serving as 'table buddies'. A total of 8,775 visitors attended 31 'breakfast shows'. 75% of the participants stated afterwards that DTVE had helped them to change their situation. Over 19% took paid employment, embarked on a course of study or started their own business, while 57% stated that they wanted to find paid employment. In 2014 the Ministry of Education, Culture and Science made a grant available to extend DTVE. In 2015 six municipalities chose to continue DTVE for the latest part of the project *Eigen Kracht* ('On Your Own').

161. Please specify the measures taken to address the decrease in school attendance by girls over 15 years of age in Aruba (para. 256).

162. There is a need for further research into the factors that cause girls to drop out of school. The Department of Education monitors the educational level of the workforce.

163. Please provide information on the delivery of mandatory age-appropriate education on sexual and reproductive health rights, including responsible sexual behaviour, in the State party, in particular in Curaçao (para. 365).

164. Curaçao does not currently have a mandatory age-appropriate programme of education on sexual and reproductive health rights and responsible sexual behaviour. The pilot project 'Biba Amor' is being taught at some schools.

165. According to information before the Committee, the school dropout rate in Curaçao is between 32 and 34 per cent, and undocumented migrant children do not receive diplomas upon completing their education. Please provide data on the number of girls who drop out of school and the measures taken to address the non-issuance of diplomas for undocumented migrant children when they complete school.

166. Statistics Netherlands (2011 Census and updated figures for 2015) gives the following dropout rates for Curaçao: among persons aged 15-24, the overall dropout rate is 32.3%. This breaks down to 37.2% for boys in this cohort and 26.8% for girls. These percentages are for the total number of persons in this age group who are not attending education, and for men and women separately. The number of young people in this age group not attending school is 6,811 in total, of whom 2,201 (32.3%) do not have a secondary school diploma.

167. The Ministry of Education, Science, Culture and Sports is looking into the matter of undocumented migrant children who are not receiving their certificates upon completion of their education and is working towards a solution.

Employment

168. It is acknowledged that the gender wage gap remains an issue of concern and that most women work part-time (para. 52).

169. Please provide information on the progress made in closing the gender wage gap, including the follow-up measures required to combat discrimination in the labour market, given the issuance of the advisory report of the Social and Economic Council of the Netherlands (SER) (para. 55).

170. In response to the SER's advisory report, the Dutch government presented the Action Plan on Discrimination in the Labour Market, the aim being to take concrete steps to vigorously tackle discrimination in the labour market. The action plan contains 42 measures (some of which address the gender pay gap) in five different tracks: enforcement; notification and registration; knowledge and awareness; diversity policy; and research. The 42 measures comprise 21 generic measures and 21 measures that focus on specific groups, such as migrants from non-Western backgrounds, people with disabilities or chronic diseases, LGBT people, women, and the elderly. Six additional measures were added to the plan in 2015.

171. Please state measures that are in place to ensure women's access to full-time and part-time employment and their career progression.

172. The government encourages women to participate in the labour market and achieve economic independence. The project *Kracht on Tour* contributes to this by encouraging municipalities, employers and educational institutions to make agreements on the reintegration of women who are not in work, and by raising awareness of the importance of economic independence and encouraging women to take up paid employment (or work longer hours). In addition, the project *Eigen Kracht* helps motivate women with a low level of education who are not in work and have no income, with a view to improving their access to employment. To this

end, agreements are concluded with local authorities. The expanded scope for short-term and long-term care leave as from 1 July 2015 and the Flexible Working Arrangements Act that entered into force as from 1 January 2016 are also positive in this regard.

173. The Dutch supplementary pension schemes do not contain any gender bias. The Equal Treatment for Men and Women Act includes a special chapter on equal treatment in pension provisions. There is no unequal treatment anymore in the area of pensions.

174. Because of the unequal position in the labour market women (especially older women) in general are entitled to a lower pension than men.

175. **It is indicated that ethnic minority women work longer hours than women of Dutch origin (para. 35). What measures have been introduced to address that phenomenon and improve the participation of migrant women in the labour market?**

176. There are no specific policies aimed at the participation of migrant women in the labour market. However in the Programme of Action on Discrimination in the Labour Market (see also para 35 and 107) there are three specific measures aimed at migrants from non-Western backgrounds. These, together with specific measures aimed at women in general and the generic measures in the action plan, provide an indirect, positive impact on the subgroup of migrant women.

177. **Please provide information on measures being taken to deal with the concentration of women in low-paid and traditional occupations in Curaçao (para. 316). Please also provide data on unemployment among women in Curaçao, given that the overall rate of unemployment there is 15 per cent.**

178. The total unemployment rate in 2011, expressed as the proportion of the labour force that was actively looking for work, was 9.9%, almost 6.0 percentage points lower than in 2001. This percentage has been falling steadily since 1981. The percentage of women job-seekers, approximately 12%, is higher than the corresponding rate for men, approximately 8%. The youth unemployment rate (i.e. the proportion of job seekers in the economically active age group 15-24) was 22.8% in 2011, a full 11 percentage points lower than in 2001, when it stood at 33.8% (source: Statistics Netherlands).

179. **It is indicated that, while the number of women taking parental leave has grown, women take more hours of parental leave per week than men (para. 51). Please provide data on the percentage of women with childcare responsibilities who use flexible working arrangements in order to balance work and family life (para. 44).**

180. The Equal Rights Monitor (2014) reveals that couples with minor children are more likely to work in the combination of one full-time and one part-time job (54%) than couples who are not raising children (34%). Between 2011 and 2013 44% of childless women aged 25-50 had full-time jobs. Shortly after the birth of their first child, 23% of mothers were still working full-time while 25% had substantial part-time jobs (20 to 28 hours a week). The percentage of mothers with a substantial part-time job increased to 33% by the time their first child was one. It is becoming increasingly common for women to keep working after the birth of their first child. Between 2011 and 2013 this percentage rose from 54% to 58%, while the

percentage of women who reduced their number of working hours declined from 35% to 31%. Fewer than one in ten women stop working altogether after the birth of their first child.

181. In addition, what steps are being taken to ensure that men are actively involved in caring for their children so that there is shared responsibility in childcare between women and men?

182. The government increases awareness of the fact that when work and care duties are shared more equally by men and women, it may help both to realise their full potential. By law, both parents are entitled to parental leave and to short-term and long-term care leave. Paternity leave too can have a positive impact on the choices that fathers make later on in relation to their care duties. For this reason, the Netherlands expanded paternity leave in January 2015: in addition to two days' paid paternity leave, fathers are entitled to take a further three days' unpaid leave. It was recently decided to expand basic paternity leave to five days' paid leave. In addition, the Netherlands supports a project that is considering ways in which organisations can raise awareness among young parents of the important role that men play in children's upbringing.

183. Please provide information on the provision of childcare services, given that there has been a drop in their use (para. 49).

184. In the Netherlands there is a relationship between the benefits for parents using childcare services and participation in the labour market. Because of the economic crisis, there has been a fall in participation in the labour market and a corresponding (small) decline in the use of childcare services. Now that the economy is improving, it is expected that more use will be made of childcare services. Furthermore, the government has raised the available funding for childcare benefit by 25% in the past two years.

185. Please explain the involvement of the Government in regulating the use of flexible working arrangements in the light of the position that this is mainly negotiated between employers and employees (para. 41).

186. The Flexible Working Arrangements Act entered into force as from 1 January 2016. Its key elements are as follows:

- Employees are entitled to request their employer for a change in the times and/or places at which they perform their work.
- The employer must take due consideration of a request to change the place of work and must discuss rejection of the request with the employee.
- The employer must grant a request for modified working hours unless compelling business or departmental reasons militate against it, further specified as 'serious problems concerning security, working schedules, or of a financial or organisational nature'.
- Alternative arrangements may be provided for in collective labour agreements.

187. Please state measures taken to address discrimination in employment on the grounds of pregnancy and maternity and provide information to women on their labour rights (para. 61).

188. The Programme of Action on Discrimination in the Labour Market of May 2014 includes two specific action points to prevent discrimination on grounds of pregnancy:

1. In response to the recommendations arising from the study *Hoe is het bevallen?* (2012) conducted by the Netherlands Institute of Human Rights, the government has improved public information on pregnancy and parenthood by collecting all the information in a single place and by including a link to the Institute's web page www.zwangerenwerk.nl.

2. In the second quarter of 2016, as part of a multiyear antidiscrimination campaign, the government is launching an information campaign on discrimination in the labour market. This campaign will draw attention to all grounds on which discrimination may take place, including pregnancy.

189. The role of the social partners in combating discrimination was discussed in mid-2015.

190. **In its previous concluding observations (CEDAW/C/NLD/CO/5, para. 38), the Committee expressed concern that domestic workers had limited access to social security, disability benefits and pensions. In paragraph 38 of the report, it is indicated that the Government has appointed a committee to investigate the scope for improving the position of domestic workers.**

191. Please provide information on the outcome of such investigations and the measures taken to improve the rights of domestic workers in the labour market.

192. The advisory committee presented its final report in the spring of 2014. On 17 October 2014 the government submitted its response to the report to parliament.

193. The government concurs with the committee's conclusion that it is undesirable for domestic workers to have poorer legal status than other workers and therefore intends to prevent improper employment practices involving publicly-funded domestic workers who provide home help to the sick and elderly ('alfahulpen')). To achieve this, the government will amend the relevant legislation and/or rules and regulations and introduce stricter supervision and enforcement. For example, the government plans to end the use of *alfahulpen* in the general provisions under the Social Support Act (WMO) 2015 by 1 January 2017. In October 2015 the government launched an information campaign on the status of domestic workers in general (including those who are privately funded), drawing the attention of both private employers and domestic workers to their rights and obligations.

194. **What steps have been taken to ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189)?**

195. The Home Services Regulations that came into effect in 2007 introduced protection for domestic workers who are employed on a part-time basis by another individual. However, these regulations are not fully compliant with ILO Convention no. 189. The Government chooses to maintain the level of protection that exists at the moment for domestic workers, rather than to abolish the Regulations and to leave domestic work entirely in the sphere of the informal economy. It is therefore not possible to ratify ILO Convention no. 189 at the present time.

196. **Please provide additional information on the introduction of a voucher system for paying domestic workers for services rendered (para. 38).**

197. Service vouchers require substantial government grants. Government grants of this kind for the private market incur high costs and are inherently susceptible to fraud, since monitoring and enforcement in the private domain are hard to achieve. Having regard to these arguments, the Government considers these forms of grants for the private market to be undesirable.

Health

198. Please provide information on measures taken to improve access to obstetric care for women asylum seekers in the light of the Committee's concern, expressed in its previous concluding observations, that maternal mortality among female asylum seekers is four times higher than among women of Dutch origin (CEDAW/C/NLD/CO/5, para. 46).

199. In para. 148 of the sixth report, the Dutch government explained the factors underlying the circumstance that female asylum seekers are a high-risk group for maternal mortality. In view of the past history of female asylum seekers, it is inappropriate to draw direct comparisons between data cited for maternal mortality among asylum seekers — which may or may not be accurate — and the data for women who were born in the Netherlands.

200. Asylum seekers have access to information about medical care as well as to financed medical care, including obstetric care. Care is provided as far as possible through the regular channels. The Healthcare Inspectorate (IGZ) regularly monitors the medical care provided to asylum seekers. It has not observed that this medical care places asylum seekers at high risk. The IGZ investigated the obstetric care provided to asylum seekers, after which it made certain recommendations and imposed certain measures. These have been followed.

201. It is indicated that heart failure is now the leading cause of death among women in the State party (para. 146). Please state specific measures being taken to tackle that phenomenon. Please provide information on measures taken to ensure access to health services by disadvantaged groups of women, in particular migrant women.

202. The Ministry of Health, Welfare and Sport announced on 7 March 2016 that it will set aside an extra €12 million over the next few years for research into women's health. The money will go towards implementing the Gender and Health Knowledge Agenda, which charts existing knowledge of differences between men and women in health care and identifies gaps in this knowledge. By researching specific causes and symptoms of diseases (like heart failures) concerning women and by studying the best ways of treating women, we can greatly improve the quality of care provided to women and hence their quality of life. By increasing our knowledge of the health differences between men and women, prevention, diagnosis, treatment and access to care can be better attuned to women's needs.

203. It is indicated that, in Aruba, the percentage of individuals with disabilities increases with age, an increase that manifests itself most notably among older women (para. 240). Please provide information on specific measures being taken to understand the root causes and address the problem.

204. This increase is most noticeable among elderly women, and is related to the higher life expectancy among women: namely 79.8 years, as opposed to 73.9 years

for men. There is as yet no gender-specific differentiation in social welfare services or long-term care.

205. Please also provide information on access to abortion services in the State party, in particular in Sint Maarten and other territories (para. 410).

206. The report noted that abortion is illegal on the island and that existing legislation was under review. The Ministry of Public Health, Social Development and Labour is currently finalising its policy on sexual and reproductive health, seeking to ensure that the sexual and reproductive health rights of all are acknowledged and protected on St Maarten. In this policy, abortion is defined as the medical termination of pregnancy. There are a number of policy obligations relating to the medical termination of pregnancy, ranging from education to access to services, counselling and aftercare. As soon as the sexual and reproductive health policy has been formally adopted, all laws that impede its implementation will be immediately reviewed and amended.

207. In the Netherlands, including the Netherlands in the Caribbean, abortion is regulated by the Termination of Pregnancy Act. To conduct an abortion a licence must be obtained from the Ministry, which is advised in this by the Healthcare Inspectorate. The hospital on Bonaire has an umbrella licence. A number of medical practitioners on the island can perform medicinal abortions under the authority of the hospital's licence, thus ensuring adequate access to safe abortion on Bonaire. A similar licence was recently issued to Saba, once the Inspectorate's conditions for safe abortion had been fully met. No licence has yet been granted to St Eustatius. A licence can only be issued once sufficient safeguards are in place for safe abortion.

208. Please provide data on the extent of teenage pregnancy in the State party, in particular in Sint Maarten (para. 403).

209. St Maarten Medical Centre registered 377 births in 2013. Of the mothers concerned, 32 were aged 19 years or younger. The Register of Births, Deaths and Marriages recorded 512 births and a total of 51 mothers aged 19 years or younger. The reason for this discrepancy is that a number of children were born on the French side of the island or in another country. In 2014, 511 births were registered. According to data received from the island's secondary schools, seven registered pupils were pregnant in each of the relevant academic years (2012-2013 and 2013-2014). It is important to note that these data relate only to pupils enrolled at school, most of whom were in their final year of secondary school. Education is compulsory on St Maarten. However, according to the education ministry's Inspection Division, there is an unwritten rule that a pupil can no longer attend school when she is visibly pregnant. This practice is incompatible with the Compulsory Education Act. It is not clear how common the practice is, but the Inspection Division is currently drafting policy that will address this issue.

210. In the Netherlands, in 2015, 1,574 teenage girls gave birth — 3.2 per 1,000 girls under 20 years of age. In total there were 2,579 mothers under 20 years of age that year. The birth rate among teenagers in the Netherlands is one of the lowest in the world.

Disadvantaged groups of women

211. It is indicated that women's participation in the labour market is greater in the western regions of the State party, which are highly urbanized, compared

with the north of the country (para. 74). Please provide information on specific measures being taken to improve women's participation in the labour market in the less-urbanized northern part of the State party.

212. Women's participation is actually higher in the west than in the less urbanised north. The government seeks to prevent qualitative and quantitative mismatches in the labour market. Thus, the Population Decline Action Plan 2015-2019 sets out a strategy to deal with the impact of regional population decline, and seeks to recruit and retain workers (both men and women) in rural and other regions where shrinkage is occurring or anticipated (such as the country's northern provinces). In line with the decentralisation of tasks, policy and activities are drafted and implemented at the provincial, regional and local levels. Good cooperation between entrepreneurs, educational institutions, local and regional authorities, academia and other knowledge institutions is essential here, among other things to boost participation among women job seekers.

213. Please also provide information on progress made to combat the feminization of poverty and the "isolation of older women and single mothers" in the State party (see CEDAW/C/NLD/CO/5, para. 44).

214. In the Netherlands women and children are more likely to live in poverty than men. In 2000, households run by women accounted for 56% of low-income households — a clear majority. In 2013 this percentage declined to 52.5%. 25% of single mothers are poor, compared to 12% of single fathers. However, neither gender nor age can independently account for the causes of this disparity. Research shows that the difference is owing to the average family circumstances and position in the labour market of those concerned. For this reason, the Dutch government focuses on economic independence, participation in the labour market (see also para. 107) and improving women's opportunities to gain permanent employment. The government sees these as key means of preventing long-term poverty among women who have split up from their partner or who have not built up pension rights.

215. The government supports the organisation Single SuperMom, which helps single mothers to build up a network, overcome social isolation and achieve or maintain economic independence.

216. In addition, the Fund for European Aid to the Most Deprived (FEAD) seeks to boost the social participation of older people with a low disposable income in the four largest cities, for instance through courses and meetings at public libraries.

217. Projects are also being supported in 2016 and 2017 in the framework of a national grant scheme to reduce poverty and debt. Eligible projects must focus on specific target groups such as single-parent families. Thus, through poverty prevention and alleviation, the Dutch Government indirectly supports older women and single mothers.

218. Please provide information on the gender impact of the new regulations and policies on informal care that provide for the residence of older persons in the home so that they are less dependent on municipal facilities.

219. The government seeks to strengthen, support and connect informal carers, in order to prevent them from becoming over-burdened. The gender aspect is also addressed. Thus, an expert meeting on gender-sensitive local policy explored how municipalities can encourage a more equal distribution of care tasks between men

and women. Earlier studies have shown that 58% of informal carers in the Netherlands are women, while 42% are men. Men and women carers spend the same number of hours a day, on average, on their care tasks. The Netherlands Institute for Social Research is conducting another study of informal care this year.

220. Please also provide data on the situation of rural women, women with disabilities, older women and migrant women.

221. See Annex IV.

222. What steps have been taken to alleviate the negative impacts that social security reforms and austerity measures in the health-care system have had on the living conditions of those women (see ibid.)?

223. Two of the most relevant reforms in the area of social security are the introduction of the Participation Act and the Child Benefit Schemes (Reform) Act (WHK) as from 1 January 2015. The new single-parent supplement to the child budget, laid down in the WHK, makes paid employment more gainful for single parents. Research conducted by Statistics Netherlands in 2016 shows that, under the WHK, families at the bottom of the income ladder have €1,000 more disposable income per year compared to the previous system which dated from 2009.

224. The Participation Act gives municipalities more responsibility for helping people who are further removed from the labour market to find paid employment. Municipalities are in a far better position to provide a customised approach that is attuned to personal circumstances and to the regional labour market. In order to achieve this, they have been given new instruments, such as wage subsidies and supported employment. In addition, it was agreed in the Social Accord that 125,000 extra jobs would be created for people who are unable to earn the statutory minimum wage.

Marriage and family relations

225. The Committee, in its previous concluding observations (ibid., para. 42), expressed concern that the formal requirements for family reunification, namely the integration test and minimum income requirement, that the State party imposed on certain nationalities, disproportionately affected migrant women.

226. According to information before the Committee, the income requirement has been lowered, but the civic integration requirements have been tightened. Please provide information on the gender impact of the changes, in particular among those migrant women who lack high levels of education and literacy.

227. The changes in the integration requirements came into effect in 2013; newcomers have three years to fulfil these requirements. It is not yet possible to draw any conclusions on the impact of this change on specific groups. The new legislation will be evaluated in due course.